

REMARKS

Claim Rejections – 35 U.S.C. §112

Claim 1 has been amended to avoid the objections raised by the examiner under 35 U.S.C. §112. Claim 2 has been amended to make it grammatically clear.

Withdrawal of the rejection under 35 U.S.C. §112 appears to be appropriate and the same is respectfully requested.

Claim 9 has been amended in a manner consistent with claim 1.

None of the amendments to claims 1, 2 or 9 affect the substantive scope of the claims, but rather supply appropriate antecedent language for the original claim terms, or, in connection with claim 2, improve the punctuation of the claim language to improve its clarity.

Claim Rejections – 35 U.S.C. §103

The rejection of claims 1-4, 6, 8-12, 14 and 16 as reciting subject matter regarded as being obvious in view of Mennie et al., Ratterman et al. and Allan et al. is respectfully traversed.

Before discussing the rejection, a review of the invention appears to be in order, since a full appreciation of the scope of the invention will establish a better framework for the examiner to evaluate the patentability of the claims under consideration.

Conceptually, the invention is best understood from reviewing figure 2, where a first set of data is obtained at 131 which, through optical scanning, reveals a soiling pattern on a bank note as indicated by the dark marks.

It is known, however, that this initial set of data obtained from the optical scanning may include other information apart from soiling, such as holes, tears, dog ears, spots, folds and adhesive tape. If it is desired to obtain a better picture of actual soiling of the bank note, a filtering effect is desirable to eliminate non-relevant information present in the set of data obtained on the first measuring to thereby produce a better image of actual soiling of the bank note.

Accordingly, a second and perhaps more measurements are taken as indicated at 132, 133, 133' and 133'', resulting in data, for example, representative of holes (1), dog ears or spots (4), tears (2, 3), as well as folds (5) and adhesive tape (6).

The data from the measurements 132, 133, 133' and 133'' may be merged together in a cumulative sense so as to produce a set of data indicated at 61 where all of the blemishes and defects mentioned previously have been mapped on the bank note 61.

In step 70, the data reflecting the soiling of the bill derived from the scanning data taken at 131 is then correlated with the full data presented on bank note 61 and then the soiling data is altered to produce a finer image of the actual soiling of the bank note at 81.

Claim 1 recites the above-described process in its simplest form, whereby a first property of the bank note to be checked (e.g., soiling) is derived from data of a first measuring (131); a second property of the bank note (e.g., holes) is derived from the data of a second measuring (132); the correlation between the first property (soiling) and at least one second property (holes) for the same places on the bank note to be checked is determined; and finally the first property (soiling) is correlated with the data resulting from the second measuring (holes) whereupon the first property (soiling) is derived from the data from the at least first measuring (81).

Mennie, contrary to the examiner's contention, fails to disclose a basic process even remotely approaching the process recited in claim 1. Mennie is concerned with deriving data from optical and magnetic scanning that can be compared with a master set of data that enables determination of denomination and authenticity of a bank note. While optical (using visible and invisible light frequencies) and magnetic scanning are disclosed, the data resulting from such scans is not used to filter, modify or interpret the first set of data in a manner corresponding to the process of claim 1, in particular step 70 (figure 2) to produce the altered derivation of the first measuring (131).

The teachings of Allan are not observed as providing any teaching that is combinable with Mennie to result in a process corresponding with that recited in claim 1. The method described in figure 11 of Allan is simply a process to update the "mean" in step 204, as a process of "self tuning" (see column 11, line 46) to adjust the measurement of boundaries (*id*). Essentially, the mean vector  $M_j$  is fine tuned by the process described in figure 11. Nowhere within this document can there be observed any teaching available to a person skilled in the art that could legitimately be applied to the teachings of Mennie in a manner that could result in the process as recited in claim 1. There are no process steps recited in either or both of the documents whereby a first property of a bank note to be checked is derived from data obtained from a first measuring; a second property of the bank note is derived from data taken from a second measuring; a correlation is made between the first

property and the second property for the same places on the bank note to be checked; and the first property is derived once again with respect to the same places of the bank note, for which a correlation is made between the first property and the second property and then an altered derivation of the first property is effected from the data of the first measuring.

If the examiner persists in maintaining the rejection of claim 1 on the basis of Mennie, Ratterman and Allan, Applicant requests that the examiner explain with more specificity the precise basis on which he intends to establish a basis for obviousness of the claimed subject matter. Unless such a showing can be made by the examiner, Applicant submits that examiner has failed to establish a *prima facie* basis for rejecting the claims under consideration on the basis of obviousness. Withdrawal of the rejection of claim 1 is in order and the same is respectfully requested.

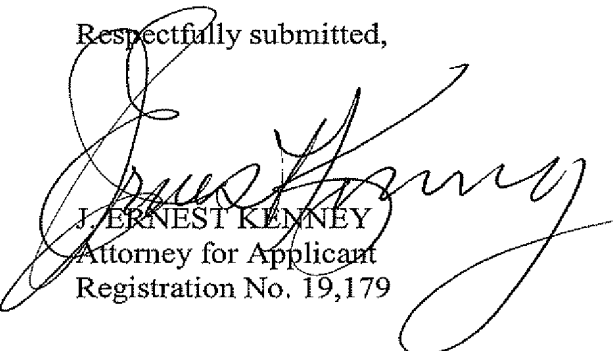
With regard to claim 9, the arguments submitted previously with regard to claim 1 apply equally in connection with claim 9, that recites apparatus for carrying out the process of claim 1. The examiner has failed to establish a *prima facie* basis for rejecting claim 9 on grounds of obviousness on the basis of Mennie, Ratterman and Allan. Withdrawal of the rejection of claim 9 likewise appears to be in order and the same is respectfully requested.

Claims 5, 7, 13 and 15 are patentable at least on the basis of independent claims 1 and 9, from which they depend directly or indirectly.

A showing having been made by Applicant that the rejection is clearly improper, and further in view of the fact that the claims have been placed in good order with regard to indefiniteness or lack of clarity, allowance of the application is appropriate and its passage to issue is respectfully requested.

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